

A

PATENT
Attorney Docket No. MEDIV1120-1

— NEW PATENT APPLICATION
☒ CONTINUATION-IN-PART
— DIVISIONAL

ASSISTANT COMMISSIONER
FOR PATENTS
Box Patent Application
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NO. EL 360 645 196 US
DATE OF DEPOSIT August 25, 1999 I HEREBY CERTIFY THAT THIS
PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37
C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

Mikhail Bayley
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)
Mikhail Bayley
SIGNATURE OF PERSON MAILING PAPER OR FEE)

Sir:

Transmitted herewith for filing is the new patent application of

Inventor: Robert A. Van Tassel, David R. Holmes, Jr., and Robert S. Schwartz

For: **AN IMPLANTABLE DEVICE FOR PROMOTING REPAIR OF A BODY
LUMEN**

This is a request for filing a continuation-in-part under 35 U.S.C. 111(A) and 37 C.F.R. 1.53(b),
of pending prior application Serial No. 09/139,084, filed August 25, 1998.

Enclosed are:

- ☒ 41 pages of the Specification, which includes 10 pages of the claims, plus 1 page
of the Abstract;
☒ 5 sheets of drawing(s) ☒ Formal; ☐ Informal;
☐ An assignment of the invention to _____;
☒ A Declaration, unsigned, and
☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 37 C.F.R.
1.27.

| | | | |
|------------------------------|---|----------------------------------|--------------------|
| FULL NAME OF FIRST INVENTOR | LAST NAME: Van Tassel | FIRST NAME: Robert | MIDDLE NAME: A. |
| CITIZENSHIP | STATE OR FOREIGN COUNTRY: U.S. | | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS: 6420 Bayview Place | CITY AND STATE: Excelsior, MN | ZIP CODE: 55331 |
| FULL NAME OF SECOND INVENTOR | LAST NAME: Holmes, Jr. | FIRST NAME: David | MIDDLE NAME: R. |
| CITIZENSHIP | STATE OR FOREIGN COUNTRY: U.S. | | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS: 1122-21 st Street N.E. | CITY AND STATE: Rochester, MN | ZIP CODE: 55906 |

jc549 U.S. PTO
09/382275
08/25/99

In re Application of:
Van Tassel et al.
Filed: August 25, 1999
Page 2

PATENT
Attorney Docket No.: MEDIV1120-1

| | | | |
|-----------------------------|--|----------------------------------|--------------------|
| FULL NAME OF THIRD INVENTOR | LAST NAME: Schwartz | FIRST NAME: Robert | MIDDLE NAME: S. |
| CITIZENSHIP | STATE OR FOREIGN COUNTRY: U.S. | | |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS: 1123 Audaz Lane S.W. | CITY AND STATE: Rochester, MN | ZIP CODE: 55902 |

The filing fee has been calculated as shown below:

| For | Number Filed | | Number Extra | | Rate | | | Fee | |
|---|--------------|-------|--------------|---|--------------|--------------|---|--------------|--------------|
| | | | | | Small Entity | Other Entity | | Small Entity | Other Entity |
| Total Claims | 81 | -20 = | 61 | X | \$09 | \$18 | = | | |
| Independent Claims | 4 | - 3 = | 1 | X | \$39 | \$78 | = | | |
| Multiple Dependent Claims Presented: ___ Yes ___X No BASIC FEE | | | | | \$130 | \$260 | = | | |
| | | | | | \$380 | \$760 | = | | |
| | | | | | TOTAL FEE | | | | |

☒ The payment of the filing fee is to be deferred until the executed Declaration is filed.
Do not charge our deposit account.

☐ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1895. A duplicate copy of this sheet is enclosed.

☐ Any additional filing fees required under 37 C.F.R. 1.16.
☐ Any patent application processing fees under 37 C.F.R. 1.17.

Respectfully submitted,

Date: Aug 25, 1999

June M. Learn
June M. Learn
Attorney for Applicant
Registration No. 31,238
Telephone: 858-677-1416
Facsimile: 858-677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, CA 92121-2189